

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Int'l Application No.: PCT/US03/17247

Applicant: Xi JIANG et al.

Int'l Filing Date: June 2, 2003

Title: METHOD, COMPOSITION AND KIT FOR ANTIGENIC BINDING OF NORWALK-LIKE VIRUSES

Atty. Docket No: CHM-007M

Mail Stop PCT – Legal Administrator  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.137(b)**

**TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION**

Sir:

Applicant respectfully petitions the Commissioner under 37 CFR 1.137(b) to revive this unintentionally-abandoned national stage PCT application, on the grounds that Applicant unintentionally failed to meet the 30 month time limit for completing the stage requirements specified in 37 CFR 1.495(b).

**FACTS**

1. Applicant's international PCT application was filed June 2, 2003, claiming priority to US Provisional Application No. 60/385,283, filed May 31, 2002, and US Provisional Application No. 60/385,296, filed May 31, 2002. See the attached published PCT application.

2. Within 19 months of the May 31, 2002 priority date, on December 19, 2003, Applicant elected the U.S. for national stage prosecution. See the attached copy of Applicants' Demand and postcard receipt.

3. Applicant unintentionally failed to fulfill the requirements of 37 CFR 1.495(b) prior to the expiration of the 30 month time limit specified in the rule.

4. The entire delay in filing the required papers from the date of the expiration of the 30 month time limit for the action until the filing of a grantable petition pursuant to this paragraph was unintentional.

Adjustment date: 10/28/2005 KWHILLIAM  
01/11/2005 SNAJARRO 00000109 10520087  
01 FC:2453 750.00 OP  
01 FC:2453 750.00 OP

01/11/2005 SNAJARRO 00000109 10520087

04 FC:2453

750.00 OP

**RELIEF REQUESTED**

Applicants respectfully petition the Commissioner to revive this application under 37 CFR 1.137(b), and to forward the application to the examining corps for examination.

**PROPER REPLY**

Attached hereto are documents comprising a proper reply:

1. A completed TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 USC 371 (Form PTO-1390).

2. Preliminary Amendment

3. Declaration with Power of Attorney

4. A credit card form for \$500.00 to cover the filing fee.

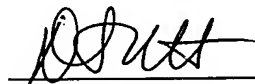
The Commissioner is hereby authorized to charge any additional fees or underpayment of fees and to credit any overpayments to my credit card.

**PETITION FEE**

Attached hereto is a credit card form for payment of the petition fee of \$750.00 required by 37 CFR 1.17(m).

Respectfully submitted,

By:



Daniel F. Nesbitt  
Attorney for Applicants  
Registration No. 33,746  
(513) 229-0383  
Customer Number 26868

December 28, 2004

Express Mailed No. EV 519728960 US